

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CHUBB INA HOLDINGS INC.,

Plaintiff,

-against-

HOLE IN WON LLC,

Defendant.
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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/19/2020

19 CIV 2514 (JPO)

DEFAULT JUDGMENT

It is hereby **ORDERED, ADJUDGED, AND DECREED**, That pursuant to the Court's Opinion and Order dated February 18, 2020, Plaintiff's motion for default judgment is GRANTED. Plaintiff is awarded \$1,000,000 in statutory damages from Defendant and a permanent injunction is hereby entered as follows: (a) Defendant, its agents, officers, sales representatives, servants, employees, associates, attorneys, successors and assigns, and any and all persons or entities acting by, through, under or in active concert or in participation with any or all of them, are permanently enjoined from doing, abiding, causing or abetting any of the following: a. directly or indirectly infringing Plaintiff's CHUBB Marks; b. from passing off, inducing or enabling others to sell or pass off, any of Defendant's services as originating from Plaintiff, or sponsored, approved, or authorized by Plaintiff; c. directly or indirectly engaging in any acts or activities calculated to trade upon Plaintiff's CHUBB Marks, and/or the reputation or good will of Plaintiff, or in any manner to compete with Plaintiff unfairly; d. using Plaintiff's CHUBB Marks, or using any mark confusingly similar to the CHUBB Marks, alone or in combination with other words as a trademark, services mark, domain name, or trade name to identify, market, distribute, advertise, promote, offer for sale, or provide any goods or services; e. from otherwise infringing the CHUBB Marks; and, f. from otherwise competing unfairly with Plaintiff in any manner

whatsoever; (b) Defendant is required to remove the CHUBB Marks and any mark confusingly similar to the CHUBB Marks from Defendant's website(s) including but not limited to <<http://www.hole-in-won.com/>>, all social media hubs, social media handles, HTML code, search engine query terms, e-mail addresses, and any other electronic communications hosts, links, and devices; (c) Defendant is required to modify its promotional materials, apparel, advertisements, signage, packaging, labeling and other communications to the public in the possession or under its control bearing thereon any material or representations to remove the infringing CHUBB Marks; and (d) Defendant must take all necessary and appropriate steps to recall for destruction all advertising and other materials, including but not limited to signage, advertising and promotion bearing the Infringing Marks or any colorable imitation of Plaintiff's CHUBB Marks and that Defendant be required to remove such Infringing Marks from its signage, promotional materials, advertisements and other writings; accordingly, the case is closed.

DATED: New York, New York
February 19, 2020

RUBY J. KRAJICK

Clerk of Court

BY: 
Deputy Clerk